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Letter dated 2 August 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I would like to draw your attention to documents S/1995/591, A/50/302-S/1995/594, S/1995/613 and S/1995/632, containing letters dated 18 July 1995, 21 July 1995, 24 July 1995 and 31 July 1995, respectively, signed "Bratislav Djordjevic, Minister Plenipotentiary, Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations".

My Government is surprised that the above letters have been accepted for publication as documents of the United Nations. Mr. Djordjevic is not a person representing a State Member of the United Nations and thus has no authority to request the publication of documents.

The designation of "Yugoslavia" as a State within the framework of the United Nations can only be interpreted by us as relating to the former Socialist Federal Republic of Yugoslavia, a State that was a founding member of the United Nations, and a State whose process of dissolution into five successor States was initiated on 8 October 1991 and terminated on 29 April 1992. The Republic of Bosnia and Herzegovina, the Republic of Croatia, the Republic of Macedonia and the Republic of Slovenia are all equal successors to the former Socialist Federal Republic of Yugoslavia, along with the remaining republics of Serbia and Montenegro, that have formed a federal State which they call the Federal Republic of Yugoslavia.

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The relevant resolutions of the Security Council (777 (1992) and 821 (1993)), and of the General Assembly (47/1), have stated clearly and unequivocally that the "State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist", that "the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia", and that "the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations". Since the "Federal Republic of Yugoslavia (Serbia and Montenegro)" has not yet applied for membership in the Organization, it can only be concluded that it is not a Member State.

We wish to recall that Mr. Dragomir Djokić, Chargé d'affaires of the Permanent Mission of Yugoslavia to the United Nations, was appointed by then Acting Federal Secretary for Foreign Affairs of the Socialist Federal Republic of Yugoslavia Mr. Milivoje Maksic on 31 March 1992 - during the period of dissolution of the former common State.

Although the former Socialist Federal Republic of Yugoslavia has ceased to exist, it has been allowed to continue to perform some of the functions of a United Nations Member State, and its flag still flies the mast of the United Nations. In the light of this situation, until Serbia and Montenegro are admitted to membership in the United Nations, Mr. Djokić is being allowed to act as a representative of "Yugoslavia" within the United Nations system, since he was appointed at a time when the Socialist Federal Republic of Yugoslavia still existed as a State, by a then legitimate representative of that State. However, Mr. Djordjevic cannot be considered as a representative of any "Yugoslavia", since he was appointed by the Minister for Foreign Affairs of a country that is not a State Member of the United Nations.

We therefore request that the above documents be withdrawn from circulation, and a corrigendum to that effect be issued.

I would kindly request your assistance in circulating this letter as a document of the fiftieth session of the General Assembly, under item 8 of the provisional agenda, and of the Security Council.

(Signed) Vladimir DROBNJAK
Chargé d'affaires of the
Permanent Mission of the
Republic of Croatia
to the United Nations